

CITY OF SAN BRUNO



567 El Camino Real
San Bruno, CA 94066
Voice: (650) 616-7074
Fax: (650) 873-6749
<http://www.ci.sanbruno.ca.us>

STAFF

Tambri Heyden, AICP, *Community Development Director*
Aaron Aknin, AICP, *Planning Manager*
Mark Sullivan, AICP, *Housing and Redevelopment Manager*
Beilin Yu, *Associate Planner*
Tony Rozzi, *Assistant Planner*
Lisa Costa-Sanders, *Contract Planner*
Cathy Hidalgo, *Recording Secretary*
Pamela Thompson, *City Attorney*

PLANNING

COMMISSIONERS

Sujendra Mishra, *Chair*
Rick Biasotti, *Vice-Chair*
Commissioners:
Mary Lou Johnson
Bob Marshall Jr.
Perry Petersen
Kevin Chase
Joe Sammut

COMMUNITY DEVELOPMENT DEPARTMENT

PLANNING COMMISSION MINUTES

MAY 2, 2006

San Bruno Senior Center
1555 Crystal Springs Blvd.
7:00 P.M. to 10:00 P.M.

CALL TO ORDER at 7:08 pm.

ROLL CALL

	<u>Present</u>	<u>Absent</u>
Chair Mishra	X	
Vice Chair Biasotti	X	
Commissioner Chase	X	
Commissioner Johnson	X	
Commissioner Marshall	X	
Commissioner Petersen		X
Commissioner Sammut	X	

STAFF PRESENT:

Planning Division: Community Development Director: Tambri Heyden
Housing & Redevelopment Manager: Mark Sullivan
Planning Manager: Aaron Aknin
Associate Planner: Beilin Yu
Assistant Planner: Tony Rozzi
Contract Planner: Lisa Costa-Sanders
Community Dev. Recording Secretary: Cathy Hidalgo
City Attorney: Pamela Thompson

Pledge of Allegiance: Tambri Heyden, Community Development Director

Chair Mishra explained the Planning Commission.

A. Approval of Minutes – April 18, 2006

Motion to Approve Minutes of April 18, 2006 Planning Commission meeting, with changes to Page 11 changing spelling of “manor” to “manner”.

Sammut/Marshall

VOTE: 6-0
AYES: Mishra, Biasotti, Chase, Johnson, Marshall, Sammut
NOES: None
ABSTAIN: None

B. Communication

On the URL – not posted this meeting, will have it prepared for future meetings.

C. Public Comment

None at this time.

D. Announcement of Conflict of Interest

Commissioner Biasotti – Item 3, employed by Lunardi's

Commissioner Marshall Item 1 and 4, business interest within 500 feet.

E. Public Hearings

Commissioner Marshall recused.

1. 495 San Mateo Avenue

Request for a Use Permit and Parking Exception to allow a specialty restaurant (Straw Hat Pizza) at the subject site and allow the sales of alcoholic drinks with the proposed use per Chapters 12.84.210, 12.96.100.C, and 12.100 of the San Bruno Zoning Ordinance. Lia Acuna (Applicant/Owner). UP-06-10, PE-06-03

Associate Planner Yu entered staff report. During comment period, staff received one call from a nearby business regarding the garbage enclosure. Staff is currently working with San Bruno Garbage and has added one condition of approval for the garbage disposal with the appropriate access as required by San Bruno Garbage. Additional conditions of approval has been distributed to the Planning Commission tonight and request them added tonight.

Staff recommends that the Planning Commission approve Conditional Use Permit 06-10 and Parking Exception 06-03 based on Findings of Fact (1-7) and Conditions of Approval (1-14).

Chair Mishra asked Commission if there were any questions for staff.

Commissioner Sammut: To staff. States the property used to be a print shop. Map shows it is going to go on the corner.

Associate Planner Yu: Responded map is incorrect. The second property from Sylvan.

Chair Mishra asked the applicant to address the Commission and introduce the project.

Applicant: Applicant introduced, Lia Acuna. Owns other location of Straw Hat in Pacifica. Will be a second if approved. Straw Hat Pizza is a cooperative corporation, it is not a franchise, but operate under the same rules as franchise. As independent owner of each store. Est. 1969, family oriented restaurant. Have participated in lots of activities with schools. Corporative Corporation has encouraged the individual owners to be established to help communities as a whole. Believe San Bruno is a progressive community and would like to be a part of the city. The expansion program would include one or two stores, if permitted.

Chair Mishra: Have you read the conditions of approval? Do you agree?

Applicant: yes

Commissioner Johnson: Hours are listed as 12pm –10pm. Are the hours determined by Straw Hat or by the owner?

Applicant: Responded that it is better to start at 11am. They are on site in preparation. For this purpose, would like to amend the open hours from 11am – 10pm

Commissioner Johnson: Reiterated to applicant that they should use the opportunity to open earlier.

Applicant: agrees

Commissioner Sammut: to staff, hours of operation are actual hours open to public, not necessarily employee staffing hours.

Associate Planner Yu: responded correct. Can amend to 11am, so that applicant won't be operating outside of the conditions if she opens at 11am.

Public Comment opened.

Public Comment closed.

Commission for Discussion:

Commissioner Sammut: Question to staff, signage – will that be handled separately.

Associate Planner Yu: Signage will be handled with Architectural Review Committee once they submit the application.

Motion to approve Conditional Use Permit 06-10 and Parking Exception 06-03 based on Findings of Fact (1-7) and Conditions of Approval (1-22). With amended condition for the hours of operation from 11am – 10pm.

Commissioner Sammut/Johnson

VOTE: 5-0

AYES: Mishra, Biasotti, Chase, Johnson, Sammut

NOES: None

ABSTAIN: Marshall

FINDINGS OF FACT

1. The project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: Interior alteration to an existing facility.
2. The strict application of the parking provisions would cause particular difficulty or undue hardship in connection with the use and enjoyment of said property since the property contains close to 100% lot coverage and is of substandard lot width.
3. That the establishment, maintenance and/or conducting of the off-street parking facilities as proposed are as nearly in compliance with the requirements set forth in this chapter as are reasonably possible since the subject site is located within a parking district and the parking spaces provided in the district meet the parking needs of the proposed specialty restaurant.
4. The sale of beer and wine in conjunction with the specialty restaurant does not jeopardize, endanger or result in adverse effects to the health, peace or safety of persons residing or working in the surrounding area since the proposed use is compatible with the surrounding existing uses, which include other restaurants, personal services and retail stores.
5. The sales of beer and wine in conjunction with the specialty restaurant will not result in repeated nuisance activities or police interventions within the premises or in close proximity of the premises, especially in the late night or early morning hours since the hours of operation are proposed to be from 12:00 pm to 10:00 pm seven days a week and since the Police Department has thoroughly reviewed this application and added conditions of approval to help mitigate any possible impacts. The activity or use does not result in violations to any applicable provision of any other city, state, or federal regulation, ordinance or statute since by obtaining this Use Permit, and subsequently obtaining approval from the Department of Alcohol and Beverage Control the applicant will be in compliance with local and state regulations.
6. The upkeep and operating characteristics of the activity or use are compatible with and will not adversely affect the livability or appropriate development of abutting properties and the surrounding neighborhood since the proposed sale of beer and wine in conjunction with the specialty restaurant is compatible with the other uses in the immediate vicinity.
7. The proposal is consistent with the San Bruno General Plan, which designates the property for commercial purposes.

CONDITIONS FOR APPROVAL

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the "Summary Hearing" to the Community Development Department within 30 days of approval. Until such time as the Summary is filed, Use Permit 06-10 and Parking Exception 06-03 shall not be valid for any purpose. Use Permit 06-10 and Parking Exception 06-03 shall expire one (1) year from the date of approval unless the plan is executed.

2. The pizza establishment use shall be conducted according to the plans accompanying this report and approved by the Planning Commission, except as required to be modified by these conditions of approval. Any modification to the approved plans shall require prior review and approval by the Community Development Director.
3. The applicant and any successor in interest, shall agree to operate the specialty restaurant at 495 San Mateo Avenue in the manner as described in the staff report and in the applicant's support statement. Any deviation or change in business activities shall require prior authorization by the Community Development Director. Failure to comply with these requirements may result in the City of San Bruno instituting revocation hearings.
4. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City.
5. The applicant shall conduct regular maintenance of the site to maintain the premises and remove debris and litter at the front and rear of the building.
6. Any changes from the hours of operation shall require prior authorization of the Community Development Director.
7. The applicant/owner shall provide prompt cleaning/repainting of any graffiti on the building exterior.
8. The applicant shall comply with all Alcohol and Beverage Control requirements.
9. Applicant shall comply with all aspects of San Bruno Municipal Code 12.84.210.
10. The hours of operation shall be from 12:00 pm to 10:00 pm daily.
11. The applicant shall meet all San Mateo County Health Department requirements regarding the creation and operation of a restaurant.
12. The Community Development Director may call this back to the Planning Commission if he/she finds that the business is not complying with the required performance standards or conditions of approval.
13. Applicant shall work with staff and San Bruno Garbage to design an interior area and location for refuse storage with appropriate access.
14. Any alteration to the exterior elevations of the property shall first require Architectural Review Committee approval.

Additional Conditions of Approval – 495 San Mateo Avenue

Police Department – (650) 616-7100

15. Loitering in or about the premises is prohibited.
16. All provisions of the San Bruno Municipal Code shall be strictly adhered to.

17. All violations of the law, or threatened violations of the law shall be immediately reported to the San Bruno Police Department and full cooperation by employees and management shall be given.
18. Any request by anyone in the establishment for an employee to contact the Police shall be immediately honored, without question.
19. Labor Code section 6404.5 regulating smoking shall be enforced at all times.
20. Management shall post all conditions of approval under load occupancy sign.

Fire Department – (650) 616-7020

21. All future Fire Department conditions of approval shall be complied with at the time of Building Division Review.

Public Works Department – (650) 616-7065

22. All future Public Works conditions of approval shall be complied with at the time of Building Division Review.

Chair Mishra advised of a 10-day appeal period.

Commissioner Marshall returns.

2. 777 Kains Avenue

****Staff is requesting this item be continued to the May 16, 2006 meeting.***

Request for a Use Permit to allow a airport related corporate parking lot & long term vehicle storage lot at the subject site per Section 12.96.110.C.14 of the San Bruno Zoning Ordinance. Perry Brandon (Applicant) / GW Williams (Owner). UP-06-06

Planning Manager Aknin requests continuance for further analyzing and further conditions on the approval.

Staff recommends that the Planning Commission continue Conditional Use Permit 06-06 to the May 16, 2006 meeting.

Chair Mishra asked Commission if there were any questions for staff.

Public Comment opened.

Public Comment closed.

Motion to continue Conditional Use Permit 06-06 to the May 16, 2006 meeting.

Commissioner Johnson/Sammut

VOTE:	6-0
AYES:	Mishra, Biasotti, Chase, Johnson, Marshall, Sammut
NOES:	None
ABSTAIN:	None

Chair Mishra advised of a 10-day appeal period.

Biasotti recused for next item.

3. 100 Skycrest Center

Request for a Vesting Tentative Tract Map for the subdivision of one lot to 25 lots with common space, and a Planned Development Permit to allow the development of 24 new homes, per Chapter 12 of the San Bruno Municipal Code. Kenmark Real Estate Group, Applicant, Willow Green Associates, Owner. PDP-06-01, TM-06-01

Housing and Redevelopment Manager Sullivan entered staff report. Condition, that developer agrees to meet all conditions. Amend condition 14, 15 and 19 for the planned development permit, attachment A of the staff report.

Staff recommends that the Planning Commission adopt Resolution 2006-04, approving a Planned Development Permit and Tentative Subdivision Map (PD 06-01, TM 06-01), with amendments as stated.

Chair Mishra asked Commission if there were any questions for staff.

Commissioner Marshall: Any landscaping plans for Lunardi's?

Housing and Redevelopment Manager Sullivan: Responded that the Condition of development agreement. The developer will be provided \$200,000.00 in landscape funding. It will be the city's obligation to develop a design for the landscaping.

Commissioner Marshall: When will it be done, prior to development? Want to make sure it gets done.

Housing and Redevelopment Manager Sullivan: Responded that the money comes as soon as the tentative map and plan development permit, the developer will provide \$25,000 for use to design within three weeks of approval.

Commissioner Marshall: After approval it may not get done. What tool do we have to enforce the conditions in the event

Housing and Redevelopment Manager Sullivan: Presents agreement.

Commissioner Marshall: Questioned will the city have \$200,000?

Housing and Redevelopment Manager Sullivan: Responded prior to permit issuance they must pay the \$200,000.00.

Commissioner Sammut: Condition of approval number 20, "All remaining trees shall be limbed up to approximately 6' and properly trimmed", what would be all the remaining trees?

Housing and Redevelopment Manager Sullivan: Responded, they are on the east side of property, by the center parking lot towards Alpine. A lot are diseased, but only the healthy will remain.

Commissioner Sammut: why limbed?

Housing and Redevelopment Manager Sullivan: Responded, it is fire condition

Commissioner Chase: If trees are diseased and have to be removed, will they be replaced with others?

Housing and Redevelopment Manager Sullivan: Responded, yes, see landscape plan attached to report.

Chair Mishra asked the applicant to address the Commission and introduce the project.

Applicant: Applicant introduced – Kenmark Real Estate. Bruce Russel, development partner. Presented with a slide presentation. Project consists of 2 components. Retain Lunardi's and a residential development. Site Plan changed to accommodate Lunardi's expansion. Reconfigured the rear of the site plan. Second change is the front of the store, they have now submitted to the city to change the front through their expansion and remodel. Certain other improvements as requested. Kenmark has requested site plan so there will be no closure to store due to their development. The \$200,000.00 payment is \$25, 000 for redesign fee and the remainder prior to building permit issuance. Reduced the density to 24 homes instead of 27. Improves the parking ratio and improves utility. Wanted to create 4' side setbacks on each lot. Improved on widening road to 20', with larger garages and 2 car driveways. Went further with landscaping and architectural design. Thinks this is much better than what was approved in September. Houses are more defined; materials have been selected and presented to the planning commission. Further defined the architecture with planter boxes and landscaping design. Landscaping plan is now more detailed. There is a lot of landscaping along Glenview with a buffer zone along Lunardi's. Entry feature newly designed with lots of trees and shrubs, drought tolerant landscaping plan. Chart is attached to staff report that shows the tree growth. Types of plants and trees proposed is attached to the reports provided to the planning commission.

Chair Mishra asked Commission if there were any questions for applicant.

Commissioner Marshall: What if Lunardi's doesn't buy, is there a fall back plan?

Applicant: If they don't buy, they stay until end of lease, which goes to 2011.

Commissioner Marshall: Will you do landscaping if they decide to lease?

Applicant: Responded yes, it will be done per the agreement.

Chair Mishra: Are you looking into recycled material?

Applicant: Responded, no. Will be double paned windows, appliances will be energy efficient. No solar panels. Will comply with city requirements of recycling. Believe they have accomplished good water resource landscaping plan.

Commissioner Chase: Commends applicant on a good job and taking ARC comments to heart. A good project and San Bruno should be proud when this is all done.

Applicant: Thanked Commissioner Chase and responded that they are looking forward to moving forward.

Commissioner Marshall: Questioned, what is time frame?

Applicant: Responded that all tenants have relocated. Ready to demolish immediately, begin on the parking lot, and hopes to pour foundations by end of year. Schedule of first owners moving in at the beginning of 2008.

Commissioner Johnson: Pleased with modifications. Congratulations. Look forward to project starting. Visitor parking, please explain, square footage between old proposal homes to new homes.

Applicant: parking ratio approved 4.44 spaces per unit in September. Improved to 4.46 spaces per unit by creating a 2-car driveway. Streets will be red curbed enforced by homeowner giving the city ordinance to tow. Size of units increased – 2030 per house, not 2280, not counting garage. The FAR stays the same. Lots were increased so increased the home size. Bedrooms are a little bigger.

Commissioner Sammut: Great project, greater since September. Only bad thing, can't see it, people will have to drive in to see it. Looking forward to completion.

Applicant: Builds in other cities, this has been a long project. Staff has been great to work with. Would like to build on El Camino, a transit project.

Chair Mishra: Do you agree with conditions and amendments?

Applicant: Responded Yes

Public Comment opened.

Public Comment closed.

Commission for discussion.

Motion to adopt Resolution 2006-04, approving a Planned Development Permit and Tentative Subdivision Map (PD 06-01, TM 06-01) with amendments.

Roll Call Vote

VOTE:	5-0
AYES:	Mishra, Chase, Johnson, Marshall, Sammut
NOES:	None
ABSTAIN:	Biasotti

Chair Mishra advised of a 10-day appeal period.

Community Development Conditions

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the "Summary of Hearing" to the Department of Planning and Building within 30 days of City PDP-06-01 & TM-06-01 shall not be valid for any purpose. PDP-06-01 and TM-06-01 shall expire two (2) years from the date of Planning Commission approval unless a building permit has been secured.
2. The project shall be built according to plans approved by the Planning Commission on May 2, 2006, included as an attachment except as required to be modified by the Conditions of Approval and Planning Commission action. Any modification to the approved plans shall require review and approval by the Community Development Director.
3. The applicant shall obtain a City of San Bruno building permit before construction can proceed.
4. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
5. Applicant shall comply with the approved mitigation-monitoring program.
6. The development shall meet all development standards, including but not limited to, set backs, parking, and height limits, as set forth in the Development Plan Project Data sheet submitted with this application, as approved and conditioned by the Planning Commission.
7. A Home Owner's Association (HOA) shall be formed prior to issuance of a building permit on the new home construction. The final Conditions, Covenants and Restrictions (CC&R's) shall be reviewed by the City Attorney and Community Development Director to ensure consistency with the project conditions of approval prior to recordation of the Final Map.
8. Prior to recordation of the Final Tract Map, the applicant shall submit to the City Parkland Dedication In Lieu fee, to be determined according to Section 12.44.140 of the City's Municipal Code.
9. Construction shall be limited to the hours as set forth in the Municipal Code.
10. Developer shall enter into an Affordable Housing Agreement with the City and the Redevelopment Agency of the City of San Bruno ("Agency"), in a form and content acceptable to the City Manager and City Attorney, in their discretion, which shall provide, among other things, (1) that Developer shall provide 15 percent of its residential units as affordable units, forty percent of which must be sold or rented to very low income households and the balance of which must be sold or rented to low or moderate income households at an affordable housing cost or affordable rent, all as defined in the Health and Safety Code, which units must remain affordable for a period of 55 years for rental units and 45 years for ownership units; or (2) an alternative affordable housing proposal acceptable to the City Manager and City Attorney in their discretion, provided such proposal

allows the Agency to meet its affordable housing obligations within the project area. The agreement must be fully executed prior to approval of the Final Map and must be recorded against the property prior to or concurrently with the Final Map.

Fire Department Conditions

11. Provide an NFPA 13D residential fire sprinklers system in all homes with coverage of garages and attics. Water will be provided from a single City water meter sized to provide adequate flow and residual pressure.
12. Provide an external rated horn/strobe that is facing the street with a time delay of 45-60 seconds upon activation of the flow switch.
13. Provide spark arrestors if wood burning fireplaces are present.
14. Fencing material used between lots and at rear of project may be redwood. Fencing separating the project from Lunardi's parking lot is recommended to be non- combustible or fire-resistive.
15. All exterior construction and roofs are to be fire-resistive or non-combustible.
16. Provide minimum 4" illuminated address numbers.
17. Street name to be approved by Fire Marshal.
18. All dead, dying or diseased trees shall be removed as recommended by developers arborist report.
19. All trees and landscaping shall be fire-resistive. Replace pine tree shown on sheet L2 with a fire-resistive type tree.
20. All remaining trees shall be limbed up to approximately 6' and properly trimmed.

Cable Conditions

21. Developer shall construct underground conduit system and vaults as required along side SBC and PG&E to bring San Bruno Cable service to the development.
22. Developer shall install conduit system throughout the complex for cable wiring to all units.
23. Developer shall provide inside wiring with adequate number of outlets for each unit at their cost per CATV specifications.

CONDITIONS OF APPROVAL

SKYCREST PROJECT

TENTATIVE TRACT MAP

(TM-06-01)

General

1. These conditions of approval shall govern if there is any conflict between the approved tentative map and the conditions of approval.

2. The Developer shall pay for and construct all improvements to private land and implement any conditions or mitigation measures applicable to private land.
3. The Developer shall be responsible for the cost of all City reviews and inspections required for all improvements associated with the Development.
4. The Developer shall serve the development with City utilities, including City of San Bruno cable service.
5. The Developer shall pay all required Development Impact Fees and post all applicable bonds for infrastructure improvements to support the development in accordance with any applicable CEQA mitigations prior to approval of the Final Map.
6. All improvements shall conform to City Standard Details, CSB Municipal Code, and Conditions of Approval and shall be to the satisfaction of the City Engineer.
7. Developer shall defend, indemnify, and hold harmless the City of San Bruno, its agents, officers and employees from any claim, action or proceeding against the City of San Bruno, or its agents, officers and employees to attack, set aside, void or annul, an approval of the City of San Bruno, or any advisory agency, appeal board or legislative body of the City of San Bruno, concerning the subdivision, which action is brought within the time period provided for in Government Code Section 66499.37. The City of San Bruno must promptly notify the Developer of any such claim, action or proceeding and shall cooperate fully in the defense.
8. The final map must be prepared pursuant to the City of San Bruno Municipal Code (Muni Code) and Standard Engineering Practice, where the Muni Code shall govern in the event of a conflict. Show all easements, existing and proposed required for utilities, access, and any other purpose. Prior to construction, certify that all necessary right-of-way has been acquired. Convey all necessary right-of-way to HOA at first sale.
9. Prior to the approval of any Improvement Plans, Developer shall demonstrate adequate fire flow to each parcel. Prior to issuance of building permits, Developer shall submit fire flow calculations.
10. Prior to the issuance of the initial building permit for each parcel, the Developer shall pay for all on-site service connection fees.
11. In the event required improvements are not complete at the time of Final Map approval, Developer shall execute a subdivision agreement, in a form approved by the City Attorney, guaranteeing the completion of construction of and payment for improvements within a specified time consistent with the time limits allowed by City ordinance. Among other things, the agreement shall guarantee the completion and installation of all improvements, including, but not limited to, fencing, sewers, utilities, storm drains, sidewalks, curbs, gutters, paving, and street lighting. The improvements shall be completed within one (1) year of commencement of work. In addition, Developer shall provide the City with all

bonds required by the San Bruno Municipal Code, in form approved by the City Attorney.

12. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Community Development Department within 30 days of Planning Commission approval. Until such time as the Summary is filed, Tentative Map shall not be valid for any purpose. Tentative Map shall expire two (2) years from the date of Planning Commission approval.
13. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
14. Developer shall enter into Maintenance Agreement, in a form approved by the City Attorney, with the City, which agreement shall set forth Developer's obligations to maintain the improvements constructed on the site. These obligations should be incorporated into the CC&R's.

Traffic/Street

15. All streets are private, but shall be constructed to minimum street structural standards for local residential streets.
16. Delineate with template on the improvement plans adequate clear sight triangles at all street intersections and bends. Any landscaping within these triangles shall be no higher than 2.5 feet at maturity.
17. Provide red curbing or signs where parking is not permitted. Fire lanes shall be marked with all of the following:
 - a. Red curb
 - b. Fire lane painted on top of the red curb
 - c. Signs on poles stating "FIRE LANE – NO PARKING" – enforced by the City of San Bruno Police Department
 - d. The Homeowners Association shall request the Police Department to enforce the "FIRE LANE – NO PARKING"
18. Minimum gutter grades shall be 0.7 percent.
19. The developer shall install proper signage and striping within the development. STOP signs shall be installed at all development exits.
20. Construct street with base rock, prior to framing of structures.
21. At both project entrances on Glenview Drive, flare transition to accommodate anticipated Fire Department response equipment.

Drainage

22. No drainage across property lines is permitted other than onto streets and common areas, other than within storm drain easements.

23. Valley gutters in on-site and off-site streets shall be concrete, 6" thick, minimum.
24. Provide paved, supportive, access for the City's flush truck to all storm drain manholes, except for off-street manholes in parks, sloped hillsides, or in landscaped common areas. For non-paved areas, provide for access by keeping access lanes minimum 10' in width clear of obstructive improvements. In CC&Rs, provide that such lanes shall be kept clear by the HOA and homeowners, and that the cost of restoring improvements in such lanes shall be borne by the HOA and homeowner.
25. Traffic control, regulatory, warning, guide signs and markings (including fire hydrant pavement markers) shall be installed in conformance with the Manual of Uniform Traffic Control Devices, and as directed and approved by the City Engineer.
26. The street storm drain system shall be designed to receive 5-year storm. Interceptors or other storm pollution control systems per NPDES requirements shall be installed for storm water from roadways that are not filtered by the bio-swales.
27. Culverts and storm drains shall be designed with the hydraulic grade line located six inches below the flow line of the curb and appurtenance to avoid serious damage from a 50-year storm.
28. Inlets or down-drains, where applicable, shall be spaced and located to relieve the street of all storm water generated by a 25-year storm.
29. Spacing for storm drain inlets on streets with curb and gutter shall not exceed 800 feet; provided, however, that the maximum width of gutter flow spread shall not exceed 8 feet and shall ensure that at least one lane of traffic in each direction is not submerged.
30. A final hydrology and hydraulic report prepared by a qualified California Registered Civil Engineer shall be submitted to the City for review and approval to demonstrate full compliance with drainage system design requirement.
31. All surface drainage from each parcel shall be sloped away from each building at a minimum of two percent slope and thence to the street at a minimum one percent slope, and to the satisfaction of the City Engineer. All surface and roof runoff from each parcel shall be conveyed in a piped system and run to the storm drainage system.
32. All drainage improvements shall be and to the satisfaction of the City Engineer.
33. In conjunction with submittal of Grading Plans, the Developer shall file a Notice of Intent for storm water discharge with the Regional Water Quality Control Board. A copy of the filing shall be submitted to the City Engineer as part of the required Improvement Plans for the site.

34. Storm drain pipes shall be reinforced concrete pipe (RCP). Sewer pipes shall be Polyvinyl Chloride pipe or vitrified clay pipe (VCP). Water pipes shall be ductile iron pipe (DIP).

Water

35. The water system within the Skycrest Subdivision shall be owned by the City of San Bruno to the point that the water meters connect to the downstream (house) piping.
36. Make two connections to the water main in Glenview Drive for the Skycrest water system.
37. Construct 8" min. DIP mains.
38. Developer shall install automatic blow off valves, wasting to the Sanitary Sewer where required by the City Engineer.
39. Relocate and install fire hydrants as required by the Fire Department.
40. Prior to the approval of any Improvement Plans, Developer shall demonstrate adequate fire flow to each parcel. Developer shall submit fire flow calculations prior to issuance of building permit for each parcel.
41. Prior to the approval of the Final Map or approval of Development plans, the Developer shall submit Improvement Plans for the Water System as separate numbered sheets included in the improvement plans. The Developer shall be responsible for the placement of on-site hydrants. The location and number of hydrants shall be established in the Improvement Plans and fire flow shall be to the satisfaction of the Fire Marshall.
42. Developer shall pay capacity charges per City of San Bruno Master Fee Schedule.

Grading

43. Provide easement for proposed retaining wall shown partially located on the adjoining Lunardi's market site. This easement is to be in favor of the HOA of the Skycrest Development.
44. Area drain grates in landscaped or dirt common areas shall be cast iron, and shall be a minimum of one square foot in area.
45. Do not grade onto the adjoining property without prior permission.
46. Prior to the issuance of a grading permit, Developer shall obtain from the California State Water Resources Control Board a General Construction Activity Storm Water Permit under the National Pollutant Discharge Elimination System (NPDES) if applicable. Developer shall comply with all requirements of the permit to minimize pollution of storm water discharges during construction activities. The permit shall include any work by public and/or private utilities performing work on behalf of Developer, if applicable.

47. Developer shall implement the recommendations of the geotechnical report and of the Geotechnical Engineer of Record for appropriate soil engineering to reduce seismic hazards. In addition, the proposed project shall comply with latest, relevant building and grading codes set forth by the City of San Bruno, and if applicable, building and grading codes of San Mateo County. All construction and grading will comply with seismic, structural and grading requirements of the latest addition of the UBC and requirements of the local building official. In the event requirements of building official are stricter than the UBC, the requirements of the Building Official will govern. All geotechnical recommendations and requirements of the UBC and local building codes, as applicable, shall be incorporated into the project design and become part of the project's grading and construction specifications. The Geotechnical Engineer of Record shall review and approve all improvement plans prior to plan submittal to the City.
48. Engineered retaining walls over 3 feet in height shall be constructed of approved durable material, to the satisfaction of the City Engineer, Planning Director, and Building Official. The top of all retaining walls shall be curved to ensure proper drainage and maintenance.
49. The grading plans shall minimize the need for off haul from the Project Site. Design shall incorporate all elements of the applicable soils report(s) and include a pre-and post consolidation plan. The grading plans shall be prepared to the satisfaction of the City Engineer, and signed off by the geotechnical engineer indicating that plans are in compliance with the geotechnical report.
50. If the geotechnical report reveals significant future settlement will occur, all surface drainage systems shall be designed to provide a minimum of two percent slope after settlement, and shall be satisfactory to the City Engineer.
51. The erosion control plan sheets shall be included as separate, numbered sheets in the grading plan of the improvement plans. The erosion control measures depicted on the plan shall be paid for by the Developer.
52. Prior to the approval of any Improvement Plans, Developer shall provide the City Engineer and Director of Planning a post-construction plan incorporating BMP's into the storm drainage system. These BMP's shall be maintained and repaired by the HOA as outlined in the CCR's.
53. Prior to the issuance of building permit, the applicant shall provide the Public Works Department with a plan indicating the amount of soil to be removed, the number of truck trips required and the proposed haul routes. A survey of the conditions of the road surfaces to be used during construction shall be conducted jointly by representatives of the City of San Bruno and the Developer to document the condition of the roadway prior to the beginning of the grading. A similar survey shall be conducted near the completion of the construction or after at least 95% of all major heavy construction traffic on the roadways associated

with the project is completed. The applicant shall pay the Haul Route Permit Fee as calculated from the Master Fee Schedule.

54. Grading plans with appropriate erosion control measures shall be required for the development. Grading plans shall show all adjacent properties sufficiently to assure that the proposed grading for each parcel does not negatively impact adjacent lands and shall incorporate drainage features necessary to assure continued drainage without erosion from adjacent properties.
55. A Storm Water Pollution Prevention Plan (SWPPP) shall be submitted to the City of San Bruno and the Regional Water Quality Control Board prior to the approval of the Improvement Plans, and subsequent to the approval and issuance of grading and building permits.

Utilities

56. Joint trenches under sidewalks shall include telephone, City of San Bruno Cable TV, electrical, communication, television, and gas lines. The trench width and depth shall be to the standards of the utility companies and to the satisfaction of the City Engineer.
57. Utility clearances between utility mains, CSB Cable TV, sewers, structures or other objects shall be to the satisfaction of the City Engineer. A minimum of one-foot vertical and 10 feet horizontal clearance shall be maintained between sewer and water lines.
58. Prior to approval of the improvement plans, the applicant shall provide written approval of said development improvement plans from all affected utility companies, including but not limited to Pacific Gas and Electric, City of SB Cable TV and Telephone.
59. Prior to approval of the Final Map, Developer shall complete construction of all public roadway utility improvements and required private improvements or enter into a subdivision improvement agreement providing for the construction of the improvements.

Construction

60. Construction activities shall be limited to the times set forth in the Municipal Code except where revised in the permits for each particular project.
61. Prior to the issuance of any permits, certificates of insurance shall be provided to the City to verify that both the owner of the subdivision and any contractors have public liability insurance. The amount and type of insurance shall be reviewed by the City and shall be sufficient to cover damages that may result from construction and operations. The insurance limits shall be a minimum of \$1,000,000 combined single limit coverage and the policy shall be subject to review and approval of the City Attorney.
62. The applicant shall submit a plan for recycling building and construction materials that are generated from the waste materials from the construction of the project.

The plan shall be subject to review and approval of the City prior to the issuance of any building permits. Prior to the issuance of the first certificate of occupancy, the applicant shall submit documentation to the Building Department that the materials have been recycled in accordance with the approved plan.

63. Haul routes for construction shall be reviewed and approved by the City Engineer.
64. During construction, the Developer shall ensure that a program of dust control is implemented consistent with Bay Area Air Quality Monitoring District (BAAQMD) requirements.
65. Developer and its contractors shall implement dust and noise control measures during the duration of the project construction, including holidays and weekends.
66. All construction equipment shall be properly tuned and maintained to keep emissions of NOX to a minimum during construction. Maintenance records for all construction vehicles shall be kept on site. Construction equipment and trucks shall be properly muffled in accordance with manufacturer's specifications.
67. Developer shall submit a project phasing plan prior to the approval of the Final Map.
68. Construction contractors shall locate fixed construction equipment (such as compressors and generators) and construction staging areas as far as possible from adjacent residences.
69. During construction, Developer and its contractors must comply with the City's Recycling and Diversion of Construction and Demolition Debris Ordinance (No. 1659). Under this ordinance, all new construction is required to divert from landfills at least 50 percent of the total generated waste tonnage through recycling, reuse, salvage and other diversion programs. Provide post-construction recycling facilities maintained and repaired as stipulated in CC&R's.
70. Prior to commencement of grading and/or construction activities, the Developer shall submit a Dust Abatement Program for review and approval by the City Building Department. The Developer shall require the construction contractor to implement this Dust Abatement Program. Elements of the program shall include BAAQMD-recommended "basic" control measures (recommended for all construction sites) and "enhanced" control measures (recommended for implementation at construction sites greater than four acres in area).

Easements

71. All public utility line easements shall be 15 feet wide minimum, unless otherwise approved by the City Engineer.
72. See "Drainage Section" above for paved access requirements.
73. The Developer shall acquire at Developer's cost all the off-site easements, right-of-way and land required for the development of this subdivision.

74. The Developer shall dedicate public utility easements for all public utilities on private lots or parcels on the Final Map. All proposed utility easements, non-access strips and all other easements in general shall be shown on the Final Map.

Lighting

75. The street light system within the Skycrest Subdivision shall be private and repaired and maintained by the Homeowners Association (HOA).
76. Provide on-site light fixtures that direct light downward to on-site surfaces, without glare to off-site properties.
77. Prior to approval of the Final Map, a final electrical plan for the installation of streetlights on-site and in the public right-of-way shall be submitted by the Developer for review and comment. Information in the lighting plan shall include, but is not limited to, the following: pole type(s), luminaire type(s), conductor and wiring schedule, points of connection, lamp wattage, pull box locations, load and intensity calculation. The streetlights shall be installed and operational prior to the issuance of a Certificate of Occupancy for the first building in the project.
78. Construct or alter streetlights on the west side of Glenview Drive right-of-way to provide a 1 candle-foot per sq. ft. minimum light intensity along development frontage and 150 feet east of the development to intersection with SBA;
79. Internal street lights shall be private. The lighting system, composed of the street lights, conduit and appurtenances, shall be maintained and repaired by the Homeowners Association. The details of this shall be described in the Covenant, Conditions and Restrictions (CC&R's).

Sanitary Sewer

80. Provide and install new sewer lines at east side of property in replacement of existing piping as shown in the tentative vesting map. Sewer line shall conform to City standards and be subject to design review of construction plans and calculations by a civil engineer registered in California. This sewer line shall connect to existing upstream collection systems and be designed to transmit these and all other flows in accordance with appropriate design criteria.
81. Provide paved, supportive, access for the City's flush truck to all sanitary manholes, except for off-street manholes in parks, sloped hillsides, or in landscaped common areas. For non-paved areas, provide for access by keeping access lanes minimum 10' in width clear of obstructive improvements. In CC&Rs, provide that such lanes shall be kept clear by the HOA and homeowners, and that the cost of restoring improvements in such lanes shall be borne by the HOA and homeowner.
82. Sewer mains shall be a minimum of 6 inches in inside diameter.
83. Flushing sanitary sewer cleanouts are required on all dead-end lines except where the line is terminated at a manhole. Flushing cleanouts shall be located not more than one hundred fifty feet (150 feet) from a manhole. Sewer lines

shall be constructed through the development to upstream properties and shall include capacity for upstream area.

84. The Developer shall video and pressure test the existing downstream sewer line from the point-of-connection to the manhole at the corner of San Bruno Avenue and Crestmoor Drive, and make a report with original documentation attached, to the City Engineer. Developer will not be required to improve, relocate or repair this sewer line.
85. Any use of a drop manhole for any sewer line is subject to the City Engineer's approval. The sewer line shall be designed to conform with City's current standard.
86. Developer shall pay wastewater utility capacity charges per the City of San Bruno Master Fee Schedule.
87. The waste water system within the Skycrest Subdivision shall be owned by the City of San Bruno to the point that the laterals connect to the mains.

Maps/Plans

88. Prior to approval of the Final Map, all conditions of approval of the approved Tentative Map shall be satisfied unless otherwise approved by the City.
89. The vesting tentative map must be prepared pursuant to the City of San Bruno Municipal Code (Muni Code) and Standard Engineering Practice, where the Muni Code shall govern in the event of a conflict.
90. The Tentative Map and Final Map shall show all existing, and all proposed street "non access strips" and public utility easements for public dedications.
91. The applicant shall submit a final subdivision map prepared by a qualified Registered Civil Engineer or Licensed Land Surveyor in accordance with the State Subdivision Map Act and all local ordinances. The applicant shall submit current title reports with the final subdivision map submittal.
92. The final map for the proposed subdivision shall be prepared according to the tentative map approved by the Planning Commission, except as required to be modified by the City approved Conditions of Approval. Any further modification to the approved map shall require prior approval by the Community Development Director.
93. All Improvement Plans shall be submitted on 24"x36" standard plan sheets. Scale shall be sufficiently large for clarity and review. Street Improvement Plans and Profiles shall have a minimum of 1"=20' scale. The Site Plan and Grading Plans shall have a minimum scale of 1"=40'. Submit an AutoCAD version of the final improvement plan to the City.
94. Prior to approval of the Final Map, the Developer shall submit engineered Improvement Plans (including specifications & engineers cost estimates) for approval by the City Engineer, showing the infrastructure necessary to serve the

Development. The Improvement Plans shall include, but are not limited to, all engineering calculations necessary to substantiate the design, proposed roadways, drainage improvements, utilities including City Cable TV service, traffic control devices, retaining and/or sound walls, waterlines, sanitary sewers, and storm drains, street lighting, common area landscaping and other project improvements.

95. The Improvement Plans shall include and meet all the necessary requirements of the City of San Bruno, and the San Mateo Countywide Stormwater Pollution Prevention Program and shall be approved by the City Engineer.
96. At the completion of construction of the public improvements, the Developer is obligated to provide all required information to the City including, but not limited to, as built (a print set, reproducible mylar and electronic file compatible with Public Works records), and all certifications, warranties, guarantees, proof of payment to outside agencies.
97. Developer shall submit a project phasing plan prior to the approval of the Final Map.
98. Clear sight distance triangles shall be maintained at all intersections and height of bushes and infrastructure shall not exceed 2.5 feet at maturity within this triangle.
99. Sidewalk, curb and gutter shall be installed at least at one side of the streets within the subdivision.
100. The street horizontal and vertical alignments shall be designed per City Code and Highway Design Manual requirements. (For example, 90' min. vertical curve required for 30 mph.)

Surveying

101. Monument portion of Glenview Drive fronting subdivision, property shown on the Tentative Map.

Landscaping

102. Prior to approval of the Final Map, the Developer shall submit to the city a landscape planting plan for review and comment.
103. Prior to the issuance of a city building permit, a maintenance of landscaping agreement shall be signed by the Developer for the maintenance of the proposed street trees, medians, and irrigation systems, which agreement shall run with the land and be binding upon successors in interest of the Developer.
104. All landscaping shall be properly maintained and comply with the City of San Bruno Water Efficient Landscape and Irrigation Guidelines. A copy of these guidelines is to be included as an appendix to the CC&R's.
105. Developer shall prepare a Landscape Plan for the proposed development. This Landscape Plan shall be reviewed and approved by a geotechnical engineer and

the City of San Bruno to assure expansive soil hazards identified in the design-level geotechnical report have been adequately assessed and the project can achieve conformance with geotechnical recommendations. The Landscape Plan shall be incorporated into the final project plan and be added as part of the project specifications related to grading, erosion control, and construction.

CC&R's

106. A Homeowners Association (HOA) shall be required, and will be responsible to maintain and repair, at HOA cost, all private utilities, including the street light system and storm drain system on the Skycrest site. This responsibility shall be described and assigned in the CC&R's.
107. CC&Rs shall be recorded as deed restrictions with the Final Map.
108. Developer shall enter into a Maintenance Agreement, in a form approved by the City Attorney, with the City, which agreement shall set forth Developer's obligations to maintain the improvements constructed on the site. These obligations should be incorporated into the CC&R's.
109. All private utilities and private street facilities within the development shall be maintained and repaired by the Homeowners' Association. All maintenance and repair shall be specifically stipulated in the CC&R's to the satisfaction of the City Engineer. All public streets and public utilities shall be maintained by the City.
110. Prior to the application for any building permit for the site, two copies of the approved and recorded CC&R's shall be submitted to the City Engineer and Planning Director.
111. The maintenance of any retention or detention system shall be the responsibility of the Homeowners Association and included in the CC&R's. Developer shall be responsible for the cost of construction and maintenance of any required detention system until it is turned over to the HOA.
112. The Developer shall install and maintain, as stipulated in the CC&R's, vegetated drainage swale, detention pipes, landscaped areas, or any other storm pollution control devices, etc. for the storm-water collected from impervious surfaces.
113. The CC&R's shall describe how the storm drainage, storm water BMP's associated with Association owned improvements, and the landscaping shall be funded and maintained by the Homeowners' Association, all to the satisfaction of the City Engineer.
114. The CC&R's shall state that homeowners shall be responsible for maintaining street trees at the frontage of their properties.
115. Developer shall embody in the CC&Rs a limitation and prohibition against the use of moving vans and other vehicle with characteristics in excess of those determined to be safe and workable, as determined by the Traffic Engineer of record. These CC&R provisions shall be provided and subject to the approval of the City Engineer prior to the first sale.

Miscellaneous

116. Update City of San Bruno scaled aerial maps to show the development upon completion. Aerial maps shall be to the satisfaction of the City Engineer.
117. The applicant shall apply anti-graffiti coating to all perimeter walls.
118. If human skeletal remains are encountered during construction or grading operations, all work within twenty meters of the discovery shall be stopped immediately and the County Coroner notified. If the remains are Native American, Any cultural resources found on the project site shall be recorded or described in a professional report and submitted to the Northwest Information Center at Sonoma State University by the Developer.

Fire

190. Relocate 3 fire hydrants and eliminate 1 as per noted on plan. Provide detail including sidewalk.
191. Fire hydrants shall provide a minimum of 1000 gpm at 20 psi residual pressure. The applicant shall provide documentation of adequate fire flow.
192. Fire hydrants shall be a Clow model 960 installed per City standard with blue dots installed adjacent to center line of street.

Parks Division Conditions

193. The Homeowners Association shall be responsible for maintenance of all common landscaped areas, green areas and project entry.

Biasotti Returns

Marshall recused

4. 461 El Camino Real

Request for a Parking Exception to allow a covered patio to the rear of an existing restaurant per Section 12.100.010.A of the San Bruno Zoning Ordinance. Isaac Mejia (Applicant), Anstell Ricossa (Owner) PE-06-02

Community Development Director Heyden entered staff report. Two letters from nearby businesses received are willing to share parking with applicant. Must be done in a formal agreement. The shared parking must be surplus parking. The letters do not meet these requirements.

Staff recommends that the Planning Commission **deny** Parking Exception 06-02 based on Findings of Fact (1-3) without prejudice allowing applicant to present again to the pc.

Chair Mishra asked Commission if there were any questions for staff.

Commissioner Chase: To staff, since downtown shares the parking spaces, why isn't it okay with this application?

Community Development Director Heyden: The parking district was set up many years ago in the downtown area to share parking. The basis for Straw Hat, there are parking lots set aside for the customers. Difference here there is no such arrangement as of now, forcing patrons to find parking on El Camino Real, which there is not parking designated for each establishment.

Commissioner Chase: Shared parking or not, patrons still have to find their own parking. With the configuration of Don Pico's there is less of an opportunity to create need parking that our code requires. Other areas benefit with the area parking lots. Something is not right, seems like a double standard.

Community Development Director Heyden: The responsibility to downtown requests, is to make sure that there is ample parking in those surrounding parking lots, staff's intent is not to support an application for reduction of parking if they supplied parking in the vicinity. Parking on El Camino Real during peak times is in use if the applicant can seek an agreement with some business for use of their parking spaces that are within a reasonable walking distance, that could be a viable option. At this time, we don't have that.

Commissioner Chase: Questioned, the letters received are not legal and binding.

Community Development Director Heyden: Responded that one doesn't have surplus parking. The other has put restrictions on hours of use, Addressing the dinner hour, but not lunch hour.

Commissioner Chase: With the parking lots the way they are and the train station moves forward to where they are going to go, will some of these be used for commuters.

Planning Manager Akin: Responded no. There is going to be a large lot as part of the grade separation, adjacent to it with over 150 parking spaces. Also there are time limitations on lots restricting commuters of using those lots.

Commissioner Sammut: Why is this in front of the Planning Commission? His understanding is that it is for a parking exception because they want to put a covered patio to the rear of the property that is already in violation and a code enforcement case against them for that particular item. If the patio goes away and the trash goes back to where it is suppose to be, then there is no need for a parking exception since they already grandfathered in. Anything done tonight will have no bearing on the code enforcement case.

Community Development Director Heyden: Responded that the code enforcement case is being handled separately. They have had discussions to resolve the case. If the outside seating area was to be removed, then there would not be a need for a parking exception.

Commissioner Sammut: Which in fact is the code enforcement case.

City Attorney Thompson: Clarified, yes there is code enforcement case. However, the owner has the legal right to come before you to make this request.

Commissioner Sammut: Seems counter intuitive, while he is in midst of code enforcement case with the city, he is allowed to come to the planning commission to request an exception, which if approved is in violation of the whole case.

City Attorney Thompson: Doesn't disagree, applicant is entitled.

Commissioner Chase: States the Commissioner Sammut makes a good case. The code enforcement CE case is not in regards to covered patio, correct?

Community Development Director Heyden: Responded, correct. The city has not initiated a code enforcement case on the unpermitted outside seating area since the applicant cooperated and was showing progress in getting approval to legalize an outdoor seating area. It has taken longer than we anticipated; we have not initiated a case.

Commissioner Johnson: Questioned the capacity without the outside covered seating. What is the capacity of the inside? What does the patio increase the capacity to?

Community Development Director Heyden: Applicant would be better to answer that question. The inside is about 50, outside about 30 more.

Commissioner Biasotti: Regarding valet parking, if they came up with plan, interested in seeing that plan since that restaurant is situated on a busy street. Possibility of a white zone in front of the restaurant for loading and unloading of passengers.

Chair Mishra asked the applicant to address the Commission and introduce the project.

Applicant: Applicant introduced Mejia, owner of restaurant. Since 1975, took full operation 9 years ago. Difference with business, also has radio and a cooking show, which has increased patronage. Lunch, busy due to 5 minutes turn around on food service. Wanted a waiting area for patrons. Difficult since there has been such an increase in patronage. A lot of business is from out of town, due to radio show. Locals have been coming for last 30 years. He has 300 signatures from people stating they will find parking. Trying to make things flow better by putting outside seating. Since they have been there so long, neighbors assist with parking accommodations. He is a Local merchant, does business in San Bruno, on Chamber of Commerce. Trying to accommodate everyone's needs.

Commissioner Johnson: To applicant, Congratulations on a successful business. Have you come up with other ideas? Have you researched other ideas? What creative ideas have you explored?

Applicant: Responded that 2-3 years went to 5 days of week, instead of 6. Currently closed Sunday and Mondays. Opened 2pm to 5pm to mostly San Bruno residents. Evenings have a lot of tourists due to surrounding hotels. Submitted plans a year ago, hired Mel Philips, doesn't know why it has not been addressed within the city. Takes

care of the garbage. Keeps everything clean and always improving. Personally there taking care of things.

Commissioner Johnson: Questioned that you stated you have spoken with Mr. Philips, but what attempts have you made to do the parking and what alternative plans have your considered.

Applicant: Responded that employees park elsewhere. Neighbors help out to receive customers. Has verbal with Marshall Realty, Wendy's, Quality Tune Up, and the hotel next door.. Mutual neighborhood agreement to keep areas clean, help each other out.

Commissioner Johnson: Most issues are daytime?

Applicant: Responded that lunch is served in 5 minutes, there are a lot of changes of parking. Orders called ahead, ready when patrons come in, in order to move cars more quickly.

Commissioner Chase: Questioned, you have one garbage pick up a week?

Applicant: For a long time, one pick up on Tuesdays. One can, 6 recycle and 1 cardboard. Had to get rid of recycling, believes in the environment. Now has 2 pick ups a week.

Commissioner Chase: Responded he should try adding pick up days. Call San Bruno garbage and work something out. Have you Considered changing to open Sundays?

Applicant: Responded that for 30 years has been closed Sundays, uses Sunday as a family day, goes to church. Monday he has radio show.

Commissioner Biasotti: Where in your plan are you making allowances for more customers? More cars and more patronage, what plans have your made to accommodate your growth?

Applicant: Responded discussing with Mel. Open to ideas.

Mel Philips: Introduced. Hired to be construction consultant. Serves lunch and dinner 5 days a week, for the past 30 years. No registered complaints over the parking. On El Camino between Crystal Springs and the north side of Jenevein, there are 70 open parking spots for the public. Never has seen all these spots taken. Does see a problem of double parking. Those letters are not viable because of the type of parking that they are. They are looking into Valet parking about using a parking lot. It appears a lot they were looking at is going to be used by someone else. They are working on the parking. Turning in a petition of patrons who have not had problems with the parking. Like to address trash area. This plan needs to have a 4' setback and move the trash underneath. Please refer to plan. A change in plan would be to move area further to the left side for 2 bins and 4 recycling bins. There is another viable way, to get 60-gallon totters and wheel inside and move out to containment center. San Bruno Garbage will provide whatever service they decide to use. Proposal was for 750 sq ft, with setback that would remove 200 sq ft, and moving the garbage to storage area...thus the area would no longer seat 30 people, maybe 15-20 max. Most cars are not single patrons; there is more likely 2 or more people in the car coming to the

restaurant. In his opinion adding 15 more seats will not affect the parking in that particular area.

Commissioner Chase: Questioned that the original application was for 750 sq ft covered patio, now it is a 375 sq ft addition. Has that been made clear to staff?

Mel Phillips: Responded, yes.

Public Comment opened.

Public Comment closed.

Chair Mishra: To staff, on the changes mentioned, have you been notified? They are not a part of this package.

Community Development Director Heyden: Responded, discussed yesterday, parking exception would be changed, from 8 parking spaces to 6. That will have to be verified with plans.

Motion to deny without prejudice Parking Exception 06-02 based on Findings of Fact (1-3).

Commissioner Sammut/Chase

VOTE: 4-1
 AYES: Mishra, Biasotti, Chase, Sammut
 NOES: Johnson
 ABSTAIN: Marshall

FINDINGS FOR DENIAL

1. The denial of this application would not put an undue hardship on the applicant as the tenant space can still function as a restaurant. In fact, the applicant has approximately 1,600 square feet of tenant space which has historically functioned as a restaurant. Therefore, the denial of this patio expansion application would not preclude the applicant from utilizing his tenant space for restaurant activities.
2. The denial of this application would not put an undue hardship on the applicant as the trash enclosure area could be relocated to the rear of the restaurant. Approving the trash enclosure in the proposed location would result in further parking difficulties in an existing, substandard parking lot. There is convenient and ample room within this rear area for trash and recycling receptacles. Therefore, the denial of this application would not preclude the applicant from successfully managing the trash and recycling material generated from this restaurant use.
3. The seven (7) spaces on-site represent only 19% of 36 spaces currently required by code. If expanded as proposed, the applicant would be providing only 16% of the required spaces, and would be deficient by 37 spaces. Staff has visited the site on several occasions and the parking situation reflects the shortage. Often there are no available spaces on-site nor are there any on-street spaces directly in front of the business, and customers and employees must park in nearby commercial lots or in residential areas. Therefore, the finding cannot be made that the applicant is nearly

in compliance with the code and the application must be denied. Furthermore, approving an expansion would negatively impact the surrounding businesses by increasing parking demand on a property with a deficient amount of parking on-site.

Chair Mishra advised of a 10-day appeal period.

Marshall returns.

F. Discussion

1. City Staff Discussion-ARC, need one more for May 11. Sammut.

Aknin: Will be coming back with more information on form based zoning and parking for downtown areas brought up by Commissioner Biasotti at last meeting.

2. Planning Commission Discussion – Chair Mishra: last meeting we spoke about formed based zoning, can we get a sheet for action items list as far as these issues are concerned. Topics for planning commission.

From last meeting: Form based zoning, parking, one-way streets, evacuation plans, mural and the General plan. General Plan: log list knowing what the status is.

G. Adjournment

Meeting was adjourned at 8:52 pm

Tambri Heyden

Secretary to the Planning Commission
City of San Bruno

Sujendra Mishra, Chair

Planning Commission
City of San Bruno

NEXT MEETING: May 16, 2006

TH/ch